

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,

-vs-

CRISOFORO PEREZ-PIMENTEL,
Defendant.

NO. CR-04-2179-WFN

ORDER

U.S.M.S. Action Required

Pending before the Court is Defendant's Motion to Dismiss, filed May 5, 2006 (Ct. Rec. 31-1). On May 8, 2006, the Government filed its response and indicated that it has no objection to Defendant's motion (Ct. Rec. 35). Accordingly,

IT IS ORDERED that:

1. Defendant's Motion to Dismiss, filed May 5, 2006, **Ct. Rec. 31-1**, is **GRANTED**.
2. The Indictment filed December 14, 2004, **Ct. Rec. 1**, is **DISMISSED with prejudice**.
3. All other pending motions are **DENIED as moot**.
4. The Defendant shall be **IMMEDIATELY RELEASED** from United States Marshal Service custody.

The District Court Executive is directed to file this Order and provide copies to counsel **AND TO** the United States Marshal Service.

DATED this 8th day of May, 2006.

s/ Wm. Fremming Nielsen
WM. FREMMING NIELSEN
SENIOR UNITED STATES DISTRICT JUDGE

05-08

ORDER